

Missouri  
Department of  
Natural Resources

DRAFT TRIBUTARY TO HICKORY CREEK TMDL  
PUBLIC COMMENTS

Public Notice  
April 13, 2010 – May 28, 2010

**Tributary to Hickory Creek  
WBID # 0589**

Grundy County, Mo.

Missouri Department of Natural Resources  
Water Protection Program  
PO Box 176  
Jefferson City, MO 65102-0176  
800-361-4827 / 573-751-1300

TO: Department of Natural Resources  
WPP/Water Quality Monitoring & Assessment Section  
P.O. Box 176  
Jefferson City, MO 65102-0176

Attn: John Hoke

Subject: Public comment for the draft TMDL for: Tributary to Hickory Creek, near  
Trenton in Grundy County, Missouri  
Water Body ID: 589

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2009 MAY 28 PM 12:48  
WATER PROTECTION PROGRAM

Thank you for providing us the opportunity to participate in this process. We do have serious concerns about the water quality analysis report for the tributary to Hickory Creek in Grundy County.

We would like to call attention to the study of 2008-09 in which the data showed the biological community was not impaired and the statement was made "there were no violations of Missouri's numeric WQS." Therefore, we question the validity of the conclusions resulting from the 2006-07 study since the tributary was dry in the fall of 2006 and only one data set was obtained in the spring of 2007.

This tributary has not been channelized, a large portion of the watershed is enrolled in the Conservation Reserve Program (CRP) and only a nominal number of livestock are located within the watershed. If there is any impairment to this stream it would seem that it would be from natural causes.

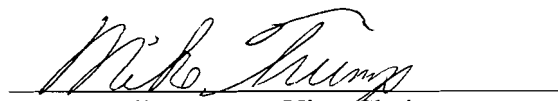
Our conclusion is: since the most current data shows the water quality of this tributary is not impaired a plan to improve the water quality is not needed. We recommend this tributary should be dropped from the 303(d) list.

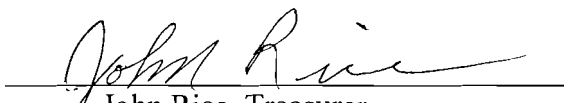
We would welcome the opportunity to meet with you at this site to discuss this further.

Thank you for your consideration.

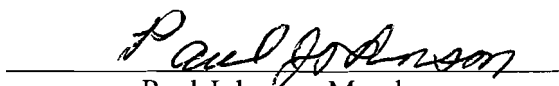
Grundy County SWCD Board of Supervisors

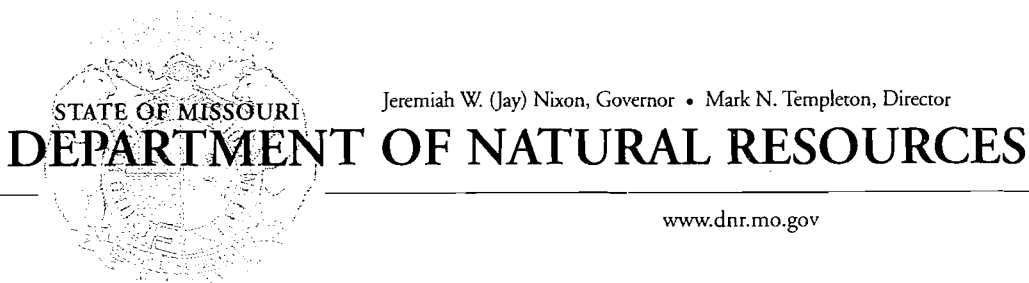
  
Kendall Foster, Chairman

  
Mike Trump, Vice-Chairman

  
John Rice, Treasurer

  
Tim Baker, Secretary

  
Paul Johnson, Member



www.dnr.mo.gov

June 2, 2010

Mr. Kendall Foster, Chairman, Board of Supervisors  
Grundy County Soil and Water Conservation District  
3415 Oklahoma Avenue  
Trenton, MO 64683

RE: Comment on Tributary to Hickory Creek Total Maximum Daily Load  
Water Body ID: 0589

Dear Chairman Foster:

Thank you for your comments and interest in the Total Maximum Daily Load (TMDL) process. Citizen participation and cooperation is crucial for successful watershed management and is the key to protecting our natural resources. For these reasons, the Department of Natural Resources values comments such as those received from the Grundy County Soil and Water Conservation District (SWCD).

The Grundy County SWCD is correct in that the most recent study of Tributary to Hickory Creek did not show any impairment to the aquatic invertebrate community. Based on those findings, the Department is requesting that this water body be removed from the Missouri 303(d) List of impaired waters. The draft 2010 303(d) list is currently on public notice until July 14, 2010. Comments on the draft list can be submitted to Mr. John Ford, Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102. Information and details on the draft 2010 303(d) list can be found at <http://www.dnr.mo.gov/env/wpp/waterquality/303d.htm>.

While the Department intends to delist Tributary to Hickory Creek during the 2010 303(d) listing cycle, a TMDL must be completed for this water body segment by December 31, 2010 to satisfy the requirements of the 2001 Consent Decree which resolved the lawsuit *American Canoe Association, et al. v. EPA* (No. 98-1195-CV-W in consolidation with No. 98-4282-CV-W, February 27, 2001). Additionally, while the aquatic community appears to be attaining the protection of aquatic life beneficial use, none of the modeled pollutants (total suspended solids [sediment], nitrogen, and phosphorus) are meeting their respective ecoregion targets. Therefore, the Department believes that improvements can be made to the stream so that it will not return to the 303(d) list should EPA approve the delisting.

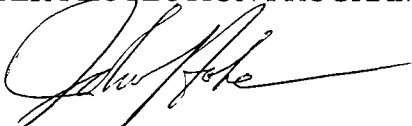
Mr. Kendall Foster  
Page Two

As a result of comments submitted by the Grundy County SWCD, language in the Implementation Section of the TMDL has been modified to reflect the 2008-09 study and current acceptable state of the invertebrate community. All comments pertaining to the draft TMDL will be reviewed and any needed changes will be made to the final TMDL document prior to its submittal to the U.S. Environmental Protection Agency for approval. Your comments, along with any others concerning the Tributary to Hickory Creek TMDL will be included in the administrative record, which also includes the studies, data and calculations upon which the TMDL is based.

If you have questions or require additional information, please contact me at (573) 526-1446, via e-mail at [john.hoke@dnr.mo.gov](mailto:john.hoke@dnr.mo.gov), or by mail at Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102.

Sincerely,

WATER PROTECTION PROGRAM

A handwritten signature in black ink, appearing to read 'John Hoke', with a long horizontal flourish extending to the right.

John Hoke, Chief  
TMDL Unit

JH:apl